NOTICE OF EMERGENCY RULE PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE NUMBER AND TITLE: DMR Regulation 95.03 AA, Closed Area No. 12, Prouts Neck, Scarboro.

TEXT OF RULE: 95.03 AA, Closed Area No. 12, Prouts Neck, Scarboro.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels from all shores, flats and waters of Prouts Neck within a triangular area bounded by a line running southerly from Checkley Point to the northern tip of Bluff Island, thence northeasterly to the navigation can (C" 1") at Old Proprietor, thence southwesterly to the eastern-most point (East Point) on Prouts Neck, all in Scarboro.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: February 7, 1989

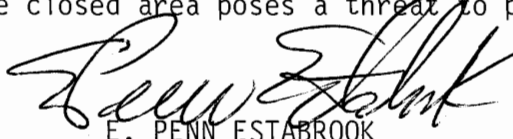AGENCY CONTACT PERSON: Robert D. Lewis
                         Department of Marine Resources
                         State House Station #21
                         Augusta, ME 04333

PORTLAND PRESS HERALD
February 10, 1989

STATEMENT OF FACT AND POLICY

As authorized by 12 M.R.S.A. Sections 6172 and 6192, the Commissioner of the Maine Department of Marine Resources establishes the emergency DMR Regulation 95.03 AA, Closed Area No. 12, Prouts Neck, Scarboro. This new regulation prohibits the taking of clams, quahogs, oysters and mussels from the waters of a triangular portion of Saco Bay bounded on the west by a line running from Checkley Point, Prouts Neck, to Bluff Island; on the southeast by a line from Bluff Island to Old Proprietor; and on the north by a line running from Old Proprietor to East Point on Prouts Neck.

This regulation closes an area surrounding the Scarboro Sewage Treatment Plant outfall. The probability of a malfunction of this system and possible contamination of shellfish in the closed area poses a threat to public health.

E. PENN ESTABROOK
Deputy Commissioner

Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

C12 Prouts Neck

4/3/01

N

There may be other closures in this map area.

Scarborough

Old Proprietor
C"1"

Checkley
Point

Prouts
Neck

C12

Bluff Island

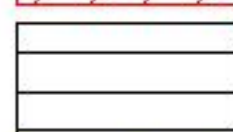## 2003 Shellfish Classifications
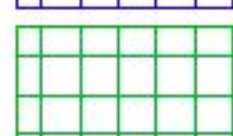
Prohibited

Restricted

Conditionally Approved

Conditionally Restricted

0.5   0   0.5   1 Miles